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10-17-0
SC

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C.A. No. 01-2802

DOUGLAS HENRY THORNTON,
Appellant

v.

LINDSEY, Associate Warden, et al.

(7) *Appellees' Response to the Court's July 9, 2002 Order,
in the above-captioned case.

Respectfully,

Clerk

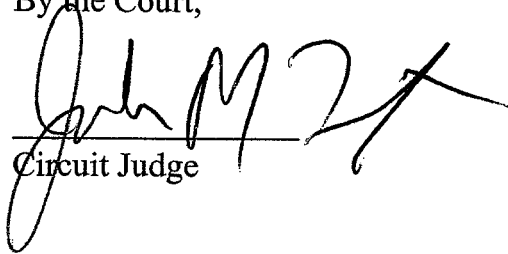
MMW/CAD/jle/clc

ORDER

The foregoing

In light of this Court's decision in Ray v. Kertes, 285 F.3d 287 (3d Cir. 2002), the order of the District Court entered June 25, 2001 is hereby vacated and the matter summarily remanded for further proceedings.

By the Court,


Circuit Judge

Dated: August 20, 2002

Cle/cc: DHT
JST

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C.A. No. 01-2802

DOUGLAS HENRY THORNTON,
Appellant

v.

LINDSEY, Associate Warden, et al.

**Certified as a true copy and issued in lieu
of a formal mandate on 10/11/02**



Teste:

Clerk, U.S. Court of Appeals for the Third Circuit.

OFFICE OF THE CLERK

UNITED STATES COURT OF APPEALS

Marcia M. Waldron
Clerk

FOR THE THIRD CIRCUIT
21400 United States Courthouse
601 Market Street
Philadelphia PA 19106-1790

Telephone
267-299-4923

www.ca3.uscourts.gov

October 11, 2002

Mrs. Mary D'Andrea
U.S. District Court for the Middle District of Pennsylvania
Middle District of Pennsylvania
228 Walnut Street
Room 1060
Harrisburg, PA 17108

RE: Docket No. 01-2802
Thornton vs. Lindsey
D. C. CIV. No. 00-cv-01590

Dear Mrs. D'Andrea:

Enclosed is a certified copy of the order in the above-entitled case(s). The certified order is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

(X) We return herewith the certified record in the case(s).

Kindly acknowledge receipt for same on the enclosed copy of this letter.

Counsel are advised of the issuance of the mandate by copy of this letter. A copy of the certified order is also enclosed showing costs taxed, if any.

Very truly yours,
MARCIA M. WALDRON
Clerk

By: Charlene L. Crisden
Case Manager

Charlene L. Crisden /cmd
Erica Ayala
267-299-4941
10/15/02

Enclosure

cc:

Mr. Douglas H. Thornton #37461-118
Joseph J. Terz, Esq.

Ac

Copy to G.

OFFICE OF THE CLERK

UNITED STATES COURT OF APPEALS

Marcia M. Waldron
Clerk

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October 11, 2002

Mrs. Mary D'Andrea
U.S. District Court for the Middle District of Pennsylvania
Middle District of Pennsylvania
228 Walnut Street
Room 1060
Harrisburg, PA 17108

FILED
HARRISBURG, PA

OCT 16 2002

RE: Docket No. 01-2802
Thornton vs. Lindsey
D. C. CIV. No. 00-cv-01590

MARY E. D'ANDREA, CLERK
Per MW
Deputy Clerk

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MARCIA M. WALDRON
Clerk

By: Charlene L. Crisden /cmd
Charlene L. Crisden
Case Manager

Enclosure

cc:

Mr. Douglas H. Thornton #37461-118
Joseph J. Terz, Esq.

***AMENDED
APS-214**

**August 5, 2002
June 20, 2002**

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 01-2802

**DOUGLAS HENRY THORNTON,
Appellant**

v.

LINDSEY, Associate Warden, et al.

(M.D. Pa. Civ. No. 00-cv-01590)

Present: SLOVITER, RENDELL, AND FUENTES, CIRCUIT JUDGES

Submitted are:

- (1) Appellant's document titled "Certificate of Appealability Supporting Memorandum," which the court may wish to construe as a request for a certificate of appealability under 28 U.S.C. §2253(c)(1);**
- (2) By the Clerk the within appeal for possible dismissal pursuant to 28 U.S.C. § 1915(e)(2);**
- (3) Appellant's motion for appointment of counsel;**
- (4) Appellant's document titled "Motion for Appointment of Counsel," dated August 30, 2001, which the Court may wish to treat as a Supplement to the previous motion for appointment of counsel;**
- (5) Appellant's document titled "Motion for Appointment of Counsel," dated September 10, 2001, which the Court may wish to treat as a further supplement to the previous motion for appointment of counsel;**
- (6) Appellant's document titled "Subject Criminal and Civil Complaints Against Some Correctional Staff and Inmates Missing Legal Documents," received for the Court's information only; and**